

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	FINAL DECISION AND ORDER
PATRICIA RAFTERY, D.O.,	:	94 MED 332
RESPONDENT.	:	

The parties to this action for the purposes of Wis. statutes sec. 227.53 are:

Patricia Raftery, D.O.
Route One, Box 354
Sparta, Wisconsin 54656

Wisconsin Medical Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Patricia Raftery, D.O., respondent herein, is duly licensed in the state of Wisconsin as an osteopathic physician. Dr. Raftery practices general medicine. Dr. Raftery's license number is 22609. This license was first granted on July 23, 1979. Dr. Raftery practices general medicine.

2. Dr. Raftery's date of birth is February 27, 1943. Her mailing address for the purpose of this matter is:

Route One, Box 354
Sparta, Wisconsin 54656.

Dr. Raftery's latest address on file with the Department of Regulation and Licensing is:

c/o Family Practice Clinic of Sparta
K & Main Street
Sparta, Wisconsin 54656.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the Stipulation of the parties is accepted.

IT IS FURTHER ORDERED that Dr. Raftery is hereby reprimanded.

IT IS FURTHER ORDERED that Dr. Raftery's license to practice medicine is limited in that she shall submit to the Board no later than nine (9) months after the effective date of this Order proof that she has attended in their entirety and satisfactorily completed sixteen (16) hours or more of Category I continuing medical education credits in the diagnosis and treatment of fractures. Dr. Raftery must receive pre-approval from the Board or its designee before taking the continuing medical education credits she intends to apply toward satisfaction of the terms of this Order. Dr. Raftery may not apply the aforementioned continuing medical education credits toward her obligation set forth in Wis. statutes sec. 448.13 to obtain 30 hours of continuing medical education.

IT IS FURTHER ORDERED that the expense of compliance with all of the terms and conditions of this Order shall be the responsibility of respondent.

IT IS FURTHER ORDERED that, pursuant to Wis. statutes section 448.02(3), if the Board determines there is probable cause to believe that respondent has violated any term of this Final Decision and Order, the Board may order that the license and registration of respondent may be suspended summarily pending investigation of the alleged violation.

IT IS FURTHER ORDERED that the Respondent shall pay to the Department the costs of this investigation pursuant to Wis. statutes section 440.22 in the amount of \$222.00, not later than 30 days following the date of this Order.

The rights of a party aggrieved by this Decision to petition the Board for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information".

This Order shall become effective upon the date of its signing.

By: _____

A Member of the Board

Date

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
PATRICIA RAFTERY, D.O.,	:	94 MED 332
RESPONDENT.	:	

It is hereby stipulated between Patricia Raftery, D.O., personally on her own behalf and Peter Sammataro, attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. This Stipulation is entered into as a result of a pending investigation of Dr. Raftery's licensure by the Division of Enforcement. Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Dr. Raftery agrees that the Findings of Fact set forth in the attached Final Decision and Order are true. Dr. Raftery consents to the adoption of the attached Final Decision and Order by the Medical Examining Board. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Dr. Raftery understands and agrees that by the signing of this Stipulation she waives all rights to any appeal of the Board's order if it is adopted in the form as attached.

3. Dr. Raftery is aware of and understands each of her rights, including: the right to a hearing on the allegations against her, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

4. Dr. Raftery is aware and understands that by the signing of this Stipulation she voluntarily and knowingly waives the rights set forth in paragraph three above. Dr. Raftery freely, voluntarily and knowingly waives all of the rights set forth in paragraph three above.

5. Dr. Raftery is aware of her right to seek legal representation and has had an opportunity to seek legal advice prior to signing this Stipulation.

6. Dr. Raftery is aware of and understands that violation of any of the terms and conditions set forth in the attached Final Decision and Order shall constitute a basis for further disciplinary action by the Medical Examining Board.

NOTICE OF APPEAL INFORMATION

Notice Of Rights For Rehearing Or Judicial Review, The Times Allowed For Each. And The Identification Of The Party To Be Named As Respondent.

Serve Petition for Rehearing or Judicial Review on:

THE STATE OF WISCONSIN MEDICAL EXAMINING BOARD.

1400 East Washington Avenue

P.O. Box 8935

Madison, WI 53708.

The Date of Mailing this Decision is:

JANUARY 30, 1995.

1. REHEARING

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

A petition for rehearing should name as respondent and be filed with the party identified in the box above.

A petition for rehearing is not a prerequisite for appeal or review.

2. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in sec. 227.53, *Wisconsin Statutes* a copy of which is reprinted on side two of this sheet. By law, a petition for review must be filed in circuit court and should name as the respondent the party listed in the box above. A copy of the petition for judicial review should be served upon the party listed in the box above.

A petition must be filed within 30 days after service of this decision if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30-day period for serving and filing a petition commences on the day after personal service or mailing of the decision by the agency, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing this decision is shown above.)